

TOWNSHIP OF WALL

ORDINANCE NO. 1-2022

**AN ORDINANCE AUTHORIZING EXECUTION OF THE DEED OF
CONSERVATION RESTRICTION/EASEMENTS TO NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND DEED OF
DEDICATION TO COUNTY OF MONMOUTH FOR CERTAIN PROPERTY
LOCATED ON BLOCK 6, LOTS 6, 7, & 12 IN TOWNSHIP OF WALL TO COUNTY
OF MONMOUTH**

WHEREAS, the Township of Wall ("Township") is the owner of certain real property located in the Township of Wall, County of Monmouth, designated as Block 6, Lots 6, 7, & 12 on the tax maps of Wall Township ("Property");

WHEREAS, the Township has leased the Property to Belmar Gateway Solar, LLC, who secured Preliminary and Final Site Plan approval from the Wall Township Planning Board to develop the Property as a solar field with ancillary parking lot, driveway, and stormwater management;

WHEREAS, in accordance with perfecting the Wall Township Planning Board approval, Belmar Gateway Solar, LLC is required to obtain certain outside agency approvals;

WHEREAS, Belmar Gateway Solar, LLC is required to obtain approval from the County of Monmouth ("County") since a portion of the Property borders a county road, specifically County Route 30, also known as 18th Avenue;

WHEREAS, the Monmouth County Planning Board requires a right-of-way dedication from the Township for the widening of 18th Avenue (County Route 30) that measures 30 feet from the centerline

WHEREAS, the Township will need to dedicate a portion of Block 6, Lot 12 measuring 13.5 feet from the edge of the existing right-of-way to the County;

WHEREAS, both the Township Attorney and Engineer reviewed the Deed of Dedication and found it acceptable in all respects for the conveyance to the County for roadway widening purposes;

WHEREAS, Belmar Gateway Solar, LLC is also required to obtain approvals from the New Jersey Department of Environmental Protection ("NJDEP") for the presence of wetlands and preservation of forested area;

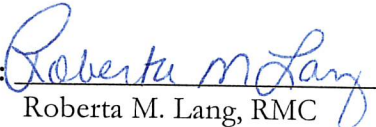
WHEREAS, the NJDEP requires that the Township execute and record a Grant of Conservation Restriction/Easement, pursuant to N.J.A.C 7:7-18, for the forest preservation area on the Property to restrict subsequent development of the restricted forest preservation area;


WHEREAS, the NJDEP also requires that the Township grant a Deed of Restrictive Covenant for the presence of wetlands on the Property, which will show the wetland delineation on the Property and restrict certain activities on the Property without NJDEP approval/consent, pursuant to N.J.A.C. 7:7A-2.2 and 2.3 of the Freshwater Wetlands Protection Act;

WHEREAS, both the Township Attorney and Engineer reviewed the Grant of Conservation Restriction/Easement and Deed of Restrictive Covenant and found it acceptable in all respects for the conveyance to the NJDEP;

Introduced: January 12, 2022

Adopted: February 9, 2022

Attest: 
Roberta M. Lang, RMC
Township Clerk

Approve: 
Kevin P. Orender
Mayor

SUMMARY AND NOTICE

TOWNSHIP OF WALL

ORDINANCE NO. 1-2022

**AN ORDINANCE AUTHORIZING EXECUTION OF THE DEED OF
CONSERVATION RESTRICTION/EASEMENTS TO NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND DEED OF
DEDICATION TO COUNTY OF MONMOUTH FOR CERTAIN PROPERTY
LOCATED ON BLOCK 6, LOTS 6, 7, & 12 IN TOWNSHIP OF WALL TO COUNTY
OF MONMOUTH**

Adoption of this ordinance will authorize the execution of the deed of conservation restriction/easement to the New Jersey Department of Environmental Protection and deed of dedication to the County of Monmouth for certain properties located on Block 6 Lots 6, 7, and 12

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on **January 12, 2022** and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on **February 9, 2022** at 7:00 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same or may be viewed on our website at www.wallnj.com.

**Roberta M. Lang, R.M.C.
Municipal Clerk**